

EXHIBIT "D"

AGREEMENT DATED MAY 19, 1954

THIS AGREEMENT made and executed this 19th day of May, 1954 between PATRICIA G. THORPE, widow of Jim Thorpe, party of the first part, and the BOROUGH OF EAST MAUCH CHUNK and the BOROUGH OF MAUCH CHUNK, both of Carbon County, Pennsylvania, parties of the second part, W I T N E S S E T H T H A T

WHEREAS, the first party is the widow of Jim Thorpe, nationally renowned athlete, and as such widow has the exclusive right over the disposition of the remains of her said deceased husband, including the selection or determination of his place of burial or interment, and

WHEREAS, in consideration and in consequence of her said right, proposal has been made and suggested between the parties hereto that the said two communities of East Mauch Chunk and Mauch Chunk consolidate under the name of "Jim Thorpe" as a fitting tribute and memorial to the person and memory of the husband of the first party and that appropriately correlated to such designation of the name "Jim Thorpe" the remains of the husband of the first party be laid to rest in the community so bearing his name, and

WHEREAS, pursuant to the first party's said right, she has arranged for and procured the temporary laying at rest of the remains of her said husband in the Evergreen Cemetery of East Mauch Chunk, aforesaid, in contemplation and expectation of his final and permanent resting place being established within the confines of the present boroughs of East Mauch Chunk and Mauch Chunk contingent upon the consolidation of said two boroughs under the name and designation of "Jim Thorpe," and

WHEREAS, the electorates of the boroughs of East Mauch Chunk and Mauch Chunk at an election held on May 18, 1954, by an

overwhelming majority approved the consolidation of said two boroughs under the name of "Jim Thorpe," and

WHEREAS, the first party has in consideration of the efforts made by the second parties and the result of said election held on May 18, 1954, expressed her willingness in the exercise of her aforesaid right over the disposition of the remains of her said husband, Jim Thorpe, to establish the consolidated borough of "Jim Thorpe" as the final and permanent resting place for her said husband.

NOW, THEREFORE, in consideration of the premises and in confirmation of the commitments and recited performances already undertaken and being undertaken by the parties hereto, it is expressly agreed as follows:

First. The first party agrees for herself, her heirs, administrators and executors, that neither she nor any of them will remove or cause to be removed the body of her said husband, Jim Thorpe, from the confines of the boroughs of East Mauch Chunk and Mauch Chunk, the electorates of which have on May 18, 1954, committed themselves to consolidate under the name of "Jim Thorpe," under and subject, however, to the following proviso:

That said obligation shall be binding upon the first party and upon her heirs, administrators and executors only for so long as the boroughs of East Mauch Chunk and Mauch Chunk, parties hereto, are officially known and designated as "Jim Thorpe."

Second. The second parties agree to provide a suitable site within the limits of the said consolidated borough of "Jim Thorpe," Pennsylvania, for the interment of the remains of Jim Thorpe above ground and further agree to provide for perpetual care thereof as a public shrine under borough supervision.

Third. It is contemplated between the parties hereto that a suitable memorial will be constructed upon said site by the

Fraternal Order of Eagles. In the event, however, that said Fraternal Order of Eagles shall fail to provide for such a memorial within three (3) years from the date hereof, the parties of the second part, for themselves, and for and on behalf of the consolidated borough of Jim Thorpe, agree to make appropriate arrangements for the erection of a memorial which shall meet with the approval both of the duly constituted officials of the parties of the second part or the consolidated borough of Jim Thorpe and of the party of the first part.

Fourth. The parties hereto agree that these presents are and shall be binding upon themselves, their respective heirs, executors, administrators and successors, in order to effectuate the purposes hereof.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound thereby, have executed or caused these presents to be executed for them or on their respective behalfs.

Witness

Patricia G. Thorpe (seal)

Witness

BOROUGH OF EAST MAUCH CHUNK, PA.

By _____
President, Borough Council

BOROUGH OF MAUCH CHUNK, PA.

By _____
President, Borough Council